

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

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Ian R. Winters

Sean C. Southard

Brendan M. Scott

Stephanie R. Sweeney

Counsel to Dream on Me Industries, Inc.

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.

Chapter 11

Case No. 23-13359 (VFP)

Judge: Vincent F. Papalia

**MOTION TO ADMIT SEAN C. SOUTHARD *PRO HAC VICE* PURSUANT
TO LOCAL DISTRICT COURT RULE 101.1(c)**

Brendan M. Scott, hereby moves (the “Motion”) this Court, pursuant to D. NJ. Local R. Civ. P. 101.1(c) for an order admitting Sean C. Southard *pro hac vice* to appear before this Court in the above-captioned bankruptcy case (the “Case”) of Bed Bath & Beyond Inc. (the “Debtor”) as counsel to Dream on Me Industries, Inc. (the “Dream”), a party in interest in the Case. In support of this Motion, Brendan M. Scott respectfully represents as follows:

1. The undersigned is a Partner with Klestadt Winters Jureller Southard & Stevens, LLP with contact information as follows:

Brendan M.Scott
Klestadt Winters Jureller Southard & Stevens, LLP
200 W. 41st Street, 17th Fl.
New York, NY 10036
Tel: (212) 679-5339

Fax: (212) 972-2245
E-Mail: bscott@klestadt.com

The undersigned is a member in good standing in the Bar of the State of New Jersey and is admitted to practice before the United States District Court for the District of New Jersey.

2. Sean C. Southard is a partner with Klestadt Winters Jureller Southard Stevens, LLP with contact information as follows:

Sean C. Southard
Klestadt Winters Jureller Southard & Stevens, LLP
200 West 41st Street, 17th Floor
New York, NY 10036-7203
Tel: (212) 972-3000
Fax: (212) 972-2245
E-Mail: ssouthard@klestadt.com

3. Mr. Southard is a member in good standing of the Bar of the State of New York. Mr. Southard was admitted to the Bar of the State of New York in 2001. The name and address of the office that maintains the roll of attorneys for the Bar of the State of New York is:

New York State Unified Court System
Office of Court Administration
Attorney Registration Unit
25 Beaver Street - Room 840
New York, NY 10004

4. Mr. Southard's Certification in Support of this Motion is attached hereto as Exhibit A in accordance with D. NJ. Local R. Civ. P. 101.1(c) and Mr. Southard is entitled to admission *pro hac vice* in this Case.

5. Mr. Southard has no pending disciplinary complaints against him. He has never been denied admission to, been disciplined by, resigned from, surrendered his license to practice before, or withdrawn an application for admission to practice before this Court or any other court, while facing a disciplinary complaint.

NOTICE

6. Notice of this Motion has been given to: (a) the Debtor; (b) the United States Trustee and (c) all appearing parties. In light of the relief requested herein, undersigned counsel submits that no other or further notice is required.

NO PRIOR REQUEST

7. No prior request for relief sought in this Motion has been made to this Court or any other court in connection with this Case.

WHEREFORE, the undersigned respectfully requests that the Court enter an Order admitting Sean C. Southard *pro hac vice* to appear before this Court in this Case, and granting such other and further relief as the Court may deem proper.

Dated: New York, New York
July 21, 2023

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

By: /s/Brendan M. Scott

Ian R. Winters (*pro hac vice application pending*)

Sean C. Southard (*pro hac vice application pending*)

Brendan M. Scott

Stephanie R. Sweeney (*pro hac vice application pending*)

200 W. 41st Street, 17th Floor

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ssweeney@klestadt.com

Counsel to Dream on Me Industries, Inc.

Exhibit A

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

-----X	:	
In re:	:	
	:	Chapter 11
BED BATH & BEYOND INC., <i>et al.</i> ,	:	
	:	Case No. 23-13359 (VFP)
Debtors.	:	
-----X		

**CERTIFICATION OF SEAN C. SOUTHARD IN SUPPORT OF
APPLICATION FOR ADMISSION *PRO HAC VICE*
PURSUANT TO LOCAL DISTRICT COURT RULE 101.1(c)**

CITY OF NEW YORK :

STATE OF NEW YORK :

Sean Southard, first being duly sworn, does hereby state and depose from personal knowledge:

1. I am over the age of 18 and believe in the obligations of an oath.
2. I am a partner with the law firm of Klestadt Winters Jureller Southard Stevens, LLP, with an office located at 200 West 41st Street, 17th Floor, New York, NY 10036-7203.
3. I am a member in good standing of the Bar of the State of New York (NY Bar #: 3924610). I was admitted to the Bar of the State of New York in 2001. The name and address of the office that maintains the roll of attorneys for the Bar of the State of New York is:

New York State Unified Court System
Office of Court Administration
Attorney Registration Unit
25 Beaver Street - Room 840
New York, NY 10004

4. In addition to the above, I am admitted to practice in the following federal courts:

United States District Court for the Eastern District of New York since 2001. The name and address of the office that maintains the roll of attorneys for the Eastern District of New York is:

U.S. District Court Eastern District of New York
Office of Attorney Admissions
225 Cadman Plaza East
Brooklyn, NY 11201

5. I am also admitted in the United States District Court for the Southern District of New York since 2001. The name and address of the office that maintains the roll of attorneys for the Southern District of New York is:

U.S. District Court Southern District of New York
Office of Attorney Services
40 Foley Square
New York, NY 10007

6. I am also admitted in the United States District Court for the Northern District of New York since 2020. The name and address of the office that maintains the roll of attorneys for the Southern District of New York is:

US District Court
Northern District of New York
James T. Foley U.S. Courthouse
Suite 509
445 Broadway
Albany, NY 12207

7. Finally, I am also a member in good standing of the Second Circuit Federal Court of Appeals. I was admitted to the Second Circuit Federal Court of Appeals in 2013. The name and address of the office that maintains the roll of attorneys for Second Circuit Federal Court of Appeals is:

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

8. I have no disciplinary proceedings pending in any jurisdiction and no discipline has previously been imposed on me in any jurisdiction.

Executed on July 21, 2023.

/s/ Sean C. Southard

Sean C. Southard

Exhibit B

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**KLESTADT WINTERS JURELLER
SOUTHARD & STEVENS, LLP**

200 West 41st Street, 17th Floor

New York, New York 10036

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ORDER FOR ADMISSION PRO HAC VICE

The relief set forth on the following page is **ORDERED**.

This matter having been brought before the Court on application for an Order For Admission Pro Hac Vice; and the Court having reviewed the moving papers of the applicant, out-of-state attorney, and considered this matter pursuant to Fed.R.Civ.Proc.78, D.N.J. L.Civ.R.101.1 and D.N.J. LBR 9010-1, and good cause having been shown; it is

ORDERED that Sean C. Southard be permitted to appear pro hac vice; provided that pursuant to D.N.J. L.Civ. R. 101.1(c)(4), an appearance as counsel of record shall be filed promptly by a member of the bar of this Court upon whom all notices, orders and pleadings may be served, and who shall promptly notify the out-of-state attorney of their receipt. Only an attorney at law of this Court may file papers, enter appearances for parties, sign stipulations, or sign and receive payments on judgments, decrees or orders, and it is further

ORDERED that the applicant shall arrange with the New Jersey Lawyers' Fund for Client Protection for payment of the annual fee, for this year and for any year in which the out-of-state attorney continues to represent a client in a matter pending in this Court in accordance with New Jersey Court Rule 1:28-2 and D.N.J. L. Civ. R. 101.1, said fee to be deposited within twenty (20) days of the date of the entry of this Order, and it is further

ORDERED that the \$150.00 fee required by D.N.J. L. Civ. R. 101(c)(3) for pro hac vice admission to the District Court for the District of New Jersey shall also be payable within twenty (20) days of entry of this Order. Payment in the form of a check must be payable to "Clerk, USDC" and forwarded to the Clerk of the United States District Court for the District of New Jersey at the following address:

United States District Court
District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, N.J. 07102
Attention: Pro Hac Vice Admissions

and it is further ORDERED that the applicant shall be bound by the Local Rules of the United States District Court for the District of New Jersey and the Local Rules of Bankruptcy Procedure for the District of New Jersey; and it is further

ORDERED that the Clerk shall forward a copy of this Order to the Treasurer of New Jersey Lawyers' Fund for Client Protection within 5 days of its date of entry.